The opinion in support of the decision being entered today was <u>not</u> written for publication in a law journal and is <u>not</u> binding precedent of the Board.

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE BOARD OF PATENT APPEALS AND INTERFERENCES

Ex parte JENNIFER L. HILLMAN

Application 09/781,117

ORDER DISMISSING APPEAL

MAILED

DEC - 5 2005

U.S. PATENT AND TRADEMARK OFFICE BOARD OF PATENT APPEALS AND INTERFERENCES

Before FLEMING, <u>Chief Administrative Patent Judge</u>, HARKCOM, <u>Vice Chief Administrative Patent Judge</u>, ADAMS, <u>Administrative Patent Judge</u>.

Per curiam.

12.

Appellants were given a period of one month to respond to the "ORDER UNDER 37 CFR § 41.50(d)" mailed on August 31, 2005. The order also stated that "[f]ailure to response in a timely manner will result in <u>dismissal of the appeal</u>."

Since no response has been received, the case is dismissed.

The application is being returned to the examiner for further action as may be appropriate.

Michael R. Fleming, Chief Administrative Patent Judge

Gary V. Harkcom, Vice Chief Administrative Patent Judge

Donald E. Adams Administrative Patent Judge **BOARD OF PATENT**

APPEAL

INTERFERENCES

Incyte Corporation Experimental Station Route 141 & Henry Clay Road Bldg. E336 Wilmington, DE 19880

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